

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA,	:	
	:	
-v-	:	13Cr242 (DLC)
	:	
ANDRE CUNNINGHAM,	:	<u>ORDER</u>
	:	
Defendant.	:	
-----X	:	

DENISE COTE, District Judge:

The defendant having pleaded guilty to a violation of supervised at the videoconference held today, June 19, 2020, it is hereby

ORDERED that a sentencing is scheduled for Thursday, **July 2, 2020 at 11:00 a.m.** In light of the ongoing COVID-19 pandemic and with the defendant's consent, the sentencing shall take place by Skype for Business videoconference. To access the conference, paste the following link into your browser:
https://meet.lync.com/fedcourts-nysd/anthony_sampson/BPXD0U6M.


IT IS FURTHER ORDERED that members of the press, public, or counsel who are unable to successfully access Skype for Business, may access the conference audio using the following credentials:

Call-in number:	917-933-2166
Conference ID:	199856422

IT IS FURTHER ORDERED that the defendant's sentencing submission is due Friday, **June 26, 2020**.

IT IS FURTHER ORDERED that should the defendant consent to proceed to be sentenced in a videoconference proceeding, defense counsel shall discuss the attached Waiver of Right to be Present at Criminal Proceeding with the defendant. If the defendant is able to sign the form (either personally or, in accordance with Standing Order 20-MC-174 of March 27, 2020, by defense counsel), defense counsel shall file the executed form at least 24 hours prior to the sentencing. In the event the defendant consents, but counsel is unable to obtain or affix the defendant's signature on the form, the Court will conduct an inquiry at the outset of the proceeding to determine whether it is appropriate for the Court to add the defendant's signature to the form.

Dated: New York, New York
June 19, 2020



DENISE COTE
United States District Judge

April 8, 2020 P.M.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA

-v-

**WAIVER OF RIGHT TO BE PRESENT
AT CRIMINAL PROCEEDING**

_____,
Defendant.

-CR- () ()

-----X
Sentence

I understand that I have a right to appear before a judge in a courtroom in the Southern District of New York at the time of my sentence and to speak directly in that courtroom to the judge who will sentence me. I am also aware that the public health emergency created by the COVID-19 pandemic has interfered with travel and restricted access to the federal courthouse. I do not wish to wait until the end of this emergency to be sentenced. I have discussed these issues with my attorney and willingly give up my right to be present, at the time my sentence is imposed, in the courtroom with my attorney and the judge who will impose that sentence. By signing this document, I wish to advise the court that I willingly give up my right to appear in a courtroom in the Southern District of New York for my sentencing proceeding as well as my right to have my attorney next to me at the time of sentencing on the following conditions. I want my attorney to be able to participate in the proceeding and to be able to speak on my behalf at the proceeding. I also want the ability to speak privately with my attorney at any time during the proceeding if I wish to do so.

Date:

Print Name

Signature of Defendant

I hereby affirm that I am aware of my obligation to discuss with my client the charges against my client, my client's rights to attend and participate in the criminal proceedings encompassed by this waiver, and this waiver and consent form. I affirm that my client knowingly and voluntarily consents to the proceedings being held with my client and me both participating remotely.

Date:

Print Name

Signature of Defense Counsel

Addendum for a defendant who requires services of an interpreter:

I used the services of an interpreter to discuss these issues with the defendant. The interpreter also translated this document, in its entirety, to the defendant before the defendant signed it. The interpreter's name is: _____.

Date: _____
Signature of Defense Counsel

Accepted: _____
Signature of Judge
Date: